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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/610,107	07/05/2000	Keiichi Koshiba	P19702.P03	4696

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EXAMINER

SHANG, ANNAN Q

ART UNIT	PAPER NUMBER
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2617

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/610,107

Applicant(s)

KOSHIBA, KEIICHI

Examiner

Annan Q. Shang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 April 2005 and 12 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-49 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 04/15/05 and preliminary amendment filed 05/12/05 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-49 rejected under 35 U.S.C. 102(b) as being anticipated by **Ichihashi et al (5,903,262)**.

As to claims 1-2, note the **Ichihashi** reference figures 1-4, discloses an interactive television system with script interpreter and further discloses a data management method comprising:

providing or sending reference data added information comprising various kinds of information (Broadcasting Station 'BS' 1, fig. 1 provides television programming and

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enhanced or subsidiary information, 'TV content' col. 6, lines 23-39) from an information providing apparatus (Server 4 and Network/Database Service 5, col. 9, lines 4-34) through a providing arrangement (BS-1 provides the arrangement to content), the TV content (video, audio, menus, scripts, etc.,) being associated with identifying data (CH number, title, item number, etc., see figs 8-15) associated with the item, menu, listing, scripts, etc., the providing arrangement being a unidirectional communication (see unidirectional broadcast wave via Transmitter 21), note that BS-1 or Servers 4/5 includes mark devices or data editing device that adds telephone numbers to the various contents to enable automatic dialing to retrieve the selected content from the service providers and further registers information received from interactive television (ITV) 3 (col. 14, line 62-col. 15, line 15 and col. 17, line 11-20);

selecting (user uses RC-308 to interact with ITV content, col. 6, lines 40-53) information from among the various kinds of information by an information recipient;

transmitting or sending identifying data (BS-1), when the information recipient selects (from a Menu, see fig. 8 and col. 7, lines 25-52 and col. 11, lines 29-65) information from among the various kinds of information, identifying data particular to and distinctly identifying each piece of selected information(col. 8, lines 9-29) to an information management apparatus (Server/Database 4/5) through a communications arrangement (telephone network), note that if a user selects Rank, pieces of information with identifying data and distinctly identifying each selected Menu or item is displayed;

calling (Server/Database 4/5, col. 21, line 6-25, col. 24, lines 28-64 and col. 26, lines 15-44) upon receiving the identifying data, reference data added information or

reference data related to reference data specified by the identifying data from Server/Database 4/5, note that Server/Database 4/5 automatically dials the telephone number associated with the selected item;

registering and storing (Server/Database 4/5, col. 5, lines 4-34) the identifying data in association with the User interaction via RC-308 when Server/Database 4/5 receives the identifying data and information related to the various TV content from ITV-3, provided either integrally with or separately from ITV-3; and

accessing (User via RC-308) management information (Menu) in the Server/Database 4/5 from a communication terminal (ITV-3), whereby information related to the TV content specified by the identifying data stored in association with the User are transmitted, either directly or via the Server/Database 4/5 to the ITV-3 (col. 9, lines 4-38, col. 11, lines 3-28, col. 14, lines 20-34 and col. 17, line 11-20).

As to claim 3-5, Ichihashi further discloses where the TV content includes video, audio, audio/video, reference data related information, information printed in printed materials, information aired, live broadcast, etc., (col. 11, lines 11-27, col. 17, lines 11-20 and col. 19, lines 55-61).

As to claim 6, the data management method comprising... contains the same structural elements as rejected claim 1.

As to claim 7, the data management method comprising... contains the same structural elements as rejected claim 1.

As to claim 8, the data management method comprising... contains the same structural elements as rejected claim 1.

As to claim 8, the data management method comprising... contains the same structural elements as rejected claim 1.

As to claim 10, Ichihashi further discloses where the identifying data comprises at least information indicating time selected by the User and indicates the channel receiving information selected by the User (col. 10, lines 10-19, col. 12, line 53-64 and col. 14, lines 20-34)

As to claim 11, Ichihashi further discloses where "message data and the user-specific data" identifying data" are particular codes added to each selected TV content prior to sending the selected TV content and the added information from (col. 24, lines 28-64).

As to claim 12-14, Ichihashi further discloses when registering and storing the selected content and user-specific information the user registers and stores selected date indicating information and sponsor information, where the user accesses management information by the selected date indicating the information and user specific data which includes a retrieval key, where the user-specific redemption data includes a retrieval key made up of selected date and sponsor information to enable the user to retrieve appropriate requested content (col. 8, line 56-col. 9, line 3, line 49-60, col. 10, line 10-19 and col. 12, lines 20-32).

Claims 15-17 are met as previously discussed with respect to claim 1.

As to claim 18, the information providing apparatus comprising... contains the same structural elements as rejected claim 1.

As to claim 19, the information providing apparatus comprising...contains the same structural elements as rejected claim 1.

As to claims 20-21, Ichihashi further information reception device for receiving reference data added information..." ITV-3 a navigation terminal with region indicating information is compared with current position information resident in the navigation terminal where a user manipulates data to select contents (figs 8-88 and col. 11, line 36-col. 12, line 1+), transmits/receives TV content and user interacts to the content; the claimed "display means for displaying information..." is met by TV-3 display; the claimed "designation reception device 303 and data sending device Modem 34, Memory 304 and 305 of ITV-3 (fig. 4 and col. 8, line 56-col. 9, line 1+).

As to claim 22, the claimed "information receiving device, comprising..." is met as previously discussed with respect to claim 20-21.

As to claim 24-26, Ichihashi further discloses remote controller 308 (fig. 5 and col. 6, line 40-col. 7, line 52) which interacts to select the TV contents, identifies data receive on ITV-3, includes designating buttons and performs all the necessary functions to enable selection of content.

As to claim 27, is met as previously discussed with respect to claim 1, the claimed read-out device, is met by the CPU or controlling unit of Server 4/5.

As to claim 28, is met as previously discussed with respect to claim 1, the claimed read-out device, is met by the CPU or controlling unit of Server 4/5.

As claims 29-30, the claimed "a communication terminal..." is met by ITV-3 as previously discussed with respect to claim 20-21.

As to claim 31, a data management system comprising is met as follows:

the claimed information management apparatus is met as previously discussed with respect to claim 1;

the claimed 'an information reception device is met as previously discussed with respect to claims 20-21;

the claimed "information management apparatus is met as previously discussed with respect to claim 1.

As to claims 32, note the **Ichihashi** reference figures 1-4, discloses an interactive television system with script interpreter and further discloses a data management system comprising:

an information providing apparatus (Broadcasting Station 'BS' 1, fig. 1 provides television programming and enhanced or subsidiary information, 'TV content' col. 6, lines 23-39) transmits various kinds of information (Broadcasting Station 'BS' 1, fig. 1 provides television programming and enhanced or subsidiary information, 'TV content' col. 6, lines 23-39) from an information providing apparatus (Server 4 and Network/Database Service 5, col. 9, lines 4-34) through a providing arrangement (BS-1 provides the arrangement to content), the TV content (video, audio, script, etc.,) being associated with identifying data (CH number, title, item number, etc., see figs 8-15) associated with the item, menu, listing, scripts, etc., the providing arrangement being a unidirectional communication (see unidirectional broadcast wave via Transmitter 21), note that BS-1 or Servers 4/5 includes mark devices or data editing device that adds telephone numbers to the various contents to enable automatic dialing to retrieve the

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selected content from the service providers and further accumulates the individual information of specific area for subscriber control in a subscriber database (col. 9, lines 4-34, col. 14, line 62-col. 15, line 15, col. 17, line 11-20 and col. 22, lines 29-54);

registration designation device (CPU 301, col. 9, line 39-col. 10, line 19) that registers at least some of the TV content received by ITV-3, provided integrally with the ITV-3;

Modem 34 (col. 8, line 56-col. 9, line 3) a registration transmission device that transmits information designated for registration by CPU 301, the distinctly identifying each piece of information designated for registration by CPU 301, the identifying data being configured to enable access to the registered information; and

Server 4/5 (col. 14, lines 20-45 and line 62-col. 15, line 22) an information management apparatus that receives information transmitted by Modem 34 through the telephone network "communication arrangement" and stores the transmitted information after associating the transmitted information with a code particular to the information ITV-3 or with a code particular to a user making the registration designation, and transmitting the stored information, at least in part to a communication terminal (ITV-3), by calling out information from the ITV-3, on basis of the particular code or code related to that code, irrespective of whether or not there is an information transmission request (col. 57-col. 18, line 18, col. 21, line 6-col. 22, line 1+ and col. 31, line 40-col. 32, line 12).

As to claim 33, the information providing system comprising...contains the same structural elements as rejected claim 32.

As to claim 34, the information providing system comprising... contains the same structural elements as rejected claim 32.

As to claim 35, the information providing system comprising... contains the same structural elements as rejected claim 32.

As to claim 36, the information providing system comprising... contains the same structural elements as rejected claim 32.

As to claim 37, the information providing system comprising... contains the same structural elements as rejected claim 32.

Claim 38 is met as previously discussed with respect to claim 18.

Claim 39 is met as previously discussed with respect to claim 18.

Claim 40 is met as previously discussed with respect to claim 20.

Claim 41 is met as previously discussed with respect to claim 20.

Claim 42 is met as previously discussed with respect to claim 20.

Claim 43 is met as previously discussed with respect to claim 27.

As to claim 44, the information providing system comprising... is composed of the same structural elements of rejected claim 32.

As to claim 45, the information providing system comprising... is composed of the same structural elements of rejected claim 32.

As to claim 46, the information providing system comprising... is composed of the same structural elements of rejected claim 32.

As to claim 47, the information providing system comprising... is composed of the same structural elements of rejected claim 32.

As to claim 48, the information providing system comprising... is composed of the same structural elements of rejected claim 32.

As to claim 49, the information providing system comprising... is composed of the same structural elements of rejected claim 32.

Response to Arguments

4. Applicant's arguments with respect to claims 1-49 have been considered but are moot in view of the new ground(s) of rejection discussed above. This office action is non-Final.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Terakado et al (6,802,076) disclose control device, control method , electronic apparatus, control method and an electronic apparatus and transmission medium.

Bauminger et al (6,681,393) disclose viewer interaction feedback method and system for use with an interactive telecommunication system.

Kelly et al (5,907,322) disclose television event marking system.

Hendricks (6,557,173) discloses potable electronic book viewer.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Annan Q. Shang** whose telephone number is **571-272-7355**. The examiner can normally be reached on **700am-400pm**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Christopher S. Kelley** can be reached on **571-272-7331**. The fax phone number for the organization where this application or proceeding is assigned is **703-872-9306**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the **Electronic Business Center (EBC)** at **866-217-9197 (toll-free)**.



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